

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

STAN LABER,)	
)	
Plaintiff,)	
v.)	Civil Action No. 3:23CV498
)	
UNITED STATES DEPARTMENT OF DEFENSE,)	
)	
Defendant.)	
_____)	

JOINT MOTION TO ESTABLISH SCHEDULE

Plaintiff Stan Laber, proceeding pro se, and Defendant United States Department of Defense, by counsel, jointly move the Court to issue an order establishing the schedule proposed herein. In support thereof, the parties state:

1. Plaintiff filed this action asserting claims pursuant to Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act. This action was originally filed in the United States District Court for the District of Kansas.

2. The District Court for the District of Kansas issued an order transferring this action to this Court based on improper venue. The action was docketed in this Court on August 9, 2023.

3. Plaintiff intends to file an amended complaint. Pursuant to Fed. R. Civ. P. 15(a)(2), Plaintiff must either obtain the consent of the Defendant or obtain leave of court to file the amended complaint. Defendant anticipates that it will consent to the filing of an amended complaint, but before doing so, would need to review the proposed amended complaint.

4. Plaintiff is currently working on his amended complaint and anticipates that he will be able to provide Defendant with his proposed amended complaint on or before September 1, 2023.

5. Accordingly, the parties jointly move that the Court enter an order establishing the following proposed schedule.

- Plaintiff shall provide his proposed amended complaint to Defendant for review on or before September 1, 2023;
- Defendant shall notify Plaintiff of its position regarding consent on or before September 8, 2023.
- If Defendant consents, Plaintiff shall file his proposed amended complaint on or before September 15, 2023, and Defendant shall respond to the amended complaint on or before September 29, 2023.
- If Defendant does not consent, Plaintiff shall file a motion for leave to amend his complaint by September 15, 2023, and Defendant shall respond to the motion to amend on or before September 29, 2023.

6. The parties submit that good cause exists for this motion as the proposed schedule will promote judicial efficiency and the efficiency of the parties.

7. A proposed order is attached hereto.

WHEREFORE, the parties, jointly move for entry of the enclosed order and for such further relief as the Court deems appropriate.

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Dated: August 22, 2023

Respectfully submitted,

JESSICA D. ABER
UNITED STATES ATTORNEY

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. Pursuant to an agreement between the parties, I further certify that I served the foregoing, via electronic mail to the following:

Stan Laber
321 S. Main Avenue
Albany, NY 12209
6133164129463c@gmail.com

/s/ _____
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